2010 Review Conference of the Parties to the Treaty on the Non-Proliferation of Nuclear Weapons

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Working paper submitted by the Islamic Republic of Iran on the issue of negative security assurances

1. Since the first atomic bombs dropped on Hiroshima and Nagasaki in August 1945, which had a destructive power 10,000 times larger than previous explosive devices, a thousand times more destructive than fission bombs, thermonuclear bombs have been designed and built. The continued existence of thousands of such bombs in the stockpiles of the nuclear Powers and allocation of billions of dollars to modernize them has kept the fate of civilization and of humanity itself under horror and panic. Even with the conclusion of the Treaty on the Non-Proliferation of Nuclear Weapons, humankind has continued to live under the shadow of possible use of the world's most destructive mass-terror weapons. Therefore, the question of the unconditional security of non-nuclear-weapon States parties to the Treaty against the use or threat of use of nuclear weapons has been and still is an important and vital issue.

2. In the early 1980s, all five nuclear-weapon States, in response to the international demands for an unconditional and legally binding treaty on negative security assurances against the use or threat of use of nuclear weapons, as a first limited step, accepted some qualified undertakings not to use such weapons against States parties to the Treaty and those which have renounced the production and acquisition of such weapons. In early April 1995, this pledge was reaffirmed through unilateral statements by nuclear-weapon States and on 11 April 1995, just days before the 1995 Review and Extension Conference, Security Council resolution 984 (1995) was adopted taking note of these unilateral statements and recognizing "the legitimate interest of non-nuclear-weapon States parties to the Treaty on the Non-Proliferation of Nuclear Weapons to receive assurances". The Security Council is also very explicit in "considering that the ... resolution constitutes a step in this direction".

3. The unilateral declarations of the nuclear-weapon States and the Security Council resolution were duly taken note of in a package of decisions by the 1995 Review and Extension Conference. Principle 8 of the decision on principles and objectives stipulated that "further steps should be considered to assure non-nuclear-weapons States parties to the Treaty against the use or threat of use of nuclear weapons. These steps could take the form of an internationally legally binding instrument".

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4. Moreover, the new doctrines such as the United States Nuclear Posture Review, development of easy-to-use mini-nukes and a recent increase in the number of cases in which some high officials of certain nuclear-weapon States have threatened non-nuclear-weapon States (such as those threats made by the United States and French President), all have put the non-nuclear-weapon States more than ever under the real threat of possible use of nuclear weapons.

5. The United States through its development of new types of easy-to-use nuclear weapons and recently allocation of billions of dollars to modernize its nuclear arsenal and naming non-nuclear-weapon States as targets of such inhumane weaponry, is clearly violating its obligations under article VI of the Treaty and putting its commitment to its 1995 unilateral statement under serious question. Hundreds of millions of dollars have already been allocated to the nuclear weapon development projects such as those in the United Kingdom Trident or the United States mini-nukes and recently the addition of a nuclear-armed ballistic missile submarine to French nuclear arsenals. The international community should not await the deployment or even threat of use of such weapons to react. Such policies and practices seem to have learned no lesson from the nightmare of Hiroshima and Nagasaki. It is abhorrent that the threats and dangerous doctrine of use of nuclear weapons against non-nuclear States were officially proclaimed by the United States and the North Atlantic Treaty Organization (NATO).

6. The 1995 unilateral statements and the subsequent United Nations Security Council resolution are inseparable parts of the deal in the 1995 Review Conference. The efforts undermining multilateral achievement in the field of disarmament are now seriously eroding the very credibility of the Treaty.

7. Iran considers the total elimination of nuclear weapons as the only absolute guarantee against the use or threat of use of nuclear weapons. Nuclear weapons should not imply political clout and capability to shape and influence world events or change the decisions of sovereign States. Holding onto and expanding nuclear arsenals should be condemned rather than condoned or tolerated. Any increase in nuclear capability should equal a reduction in political credibility. As long as such weapons are in the stockpiles of nuclear-weapon States, no one on the earth has any security. It is therefore imperative to move on with a concerted and firm resolve to stop and reverse this fast-paced drive. Certain nuclear-weapon States have tried to create smokescreens in the international forums, including the Treaty review process, to deflect attention from their abysmal record and policies.

8. Pending the total elimination of these inhuman weapons, as stipulated in the Advisory Opinion of the International Court of Justice in 1996, the Review Conference should announce unequivocally that to use or threaten to use nuclear weapons is illegal. At the same time efforts for the conclusion of a universal, unconditional and legally binding instrument on security assurances to non-nuclear-weapon States should be pursued as a matter of priority by the international community.

9. Therefore, we propose that the Conference establish an ad hoc committee to work on a draft of a legally binding instrument on the illegality of nuclear weapons and providing unconditional security assurances by the five nuclear-weapon States to non-nuclear-weapon States parties to the Treaty, and to submit the draft of the legal instrument to the Review Conference for its consideration and adoption. As a first step to address the twin issues of illegality of use and negative security

assurances, we believe that as suggested by the non-governmental organization community, the 2010 Review Conference should adopt a decision through which the Conference "decides that the threat or use of nuclear weapons against non-nuclear-weapon States shall be prohibited".

10. We strongly urge this Conference to move a step forward and to make a concrete decision on the negative security assurances to assure non-nuclear-weapon States on a non-discriminatory and unconditional basis.